



#33

PATENTS

Attorney Docket No.: R087 1100
(27584.0050.9)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Reissue Application Number: 09/483,467

Filed: 01/13/00

RECEIVED

AUG 23 2002

GROUP 3600

Patent Number: 5,755,056

Art Unit: 3641

Issued: May 26, 1998

Examiner: Johnson, S.

Patentee: Dale R. Danner, et al.

Title: **ELECTRONIC FIREARM AND
PROCESS FOR CONTROLLING
AN ELECTRONIC FIREARM****SUPPLEMENTAL REISSUE APPLICATION DECLARATION
(PURSUANT TO 37 C.F.R. §1.175)**Assistant Commissioner for Patents
Box Reissue
Washington, D.C. 20231

Sir:

We, Dale R. Danner, James W. Ronkainen, Vincent B. Norton and David S. Wolterman, the named inventors of the above-identified patent, submit the following Reissue Application Declaration pursuant to 37 CFR §1.175.

We each hereby declare and state:

1. The residence address and citizenship for each of us are as stated below next to our names, and we each believe we are joint inventors and we are the original and first inventors

of the subject matter described and claimed in U.S. Letters Patent No. 5,755,056, issued May 26, 1998, assigned to Remington Arms Company, Inc., for which invention we respectfully solicit a reissue patent.

Acknowledgement of Review of Papers and Duty of Candor

2. We hereby state that we have reviewed and understand the contents of the above-identified patent specification, including the specification and claims as amended by all prior amendments made thereto, including the Preliminary Amendment submitted in this Application for Reissue Patent on January 13, 2000, the Amendment filed on October 26, 2000, the Amendment and Submission of New Formal Drawings filed May 11, 2001, the Amendment and Submission of Formal Drawings filed October 31, 2001, and the present Amendment and Submission of New Formal Drawings filed June 3, 2002 and the present Amendment and Submission of New Formal Drawings, which include drawing figures as amended in the amendments of May 11, 2001, October 31, 2001, and June 3, 2002, being filed herewith.

3. We acknowledge the duty to disclose to the Office all information known to me that is material to the examination of this Application for Reissue Patent, namely, information where there is a substantial likelihood that a reasonable examiner would consider it important in deciding whether to allow the Application to issue as a patent. In compliance with this duty, Information Disclosure Statements have been previously submitted in the present Application for Reissue Patent.

Statement of Inoperativeness or in Validity of Original Patent (37 CFR § 1.175)

4. We hereby state that the original patent is at least partly inoperative or invalid because of the presence of at least one error in the specification, the drawings and in the claims

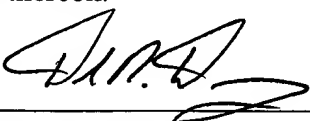
(37 CFR § 1.175(a)(1)), and that such error(s) arose at the time of filing of the Application for the original patent, and that all errors being corrected in this reissue application up to the time of filing of this Declaration made were without any deceptive intention on the part of the applicants. (37 CFR § 1.175(a)(2)).

5. We further state that the at least one error in United States Patent No. 5,755,056 ("the '056 Patent") is the result of an insufficiency in the claims in that less was claimed than that which applicants had a right to claim in the '056 Patent. (37 CFR § 1.175(a)(1)). For example, the recitation of a bolt assembly disclosed in independent claims 1 and 38 was not needed to distinguish the invention over the references cited and applied in the prosecution of the patent. Instead, as indicated in the specification, the claimed invention is applicable to any type of electronic firearm, including handguns, shotguns and rifles, and does not necessarily require the inclusion of a bolt assembly. Thus, the invention should have been more broadly claimed in terms of an electronic firearm including a system control means for monitoring the electronic firearm and controlling the firing of the firearm in response to various monitored conditions as noted by the Examiner in the Issue Notification. The original claims 1 – 9, 11 – 32, 34, 35, and 37 - 40 of the '056 Patent, as now amended, and new claims 41 – 43, 45 – 61, 64 – 69, 75, 85 – 87, and 89 - 90 submitted in the Preliminary Amendment, the Amendment of 10/26/2000, the Amendment of 5/11/2001, the Amendment of 10/31/2001, the Amendment of 6/3/2002, and present Amendment and Submission of New Formal (amended) Drawings filed in this Application for Reissue Patent are believed to define an electronic firearm and process of firing ammunition from an electronic firearm that are patentably distinct over the cited references of record, as well as the additional references being submitted by our attorneys and ourselves in the Information Disclosure Statements previously filed.

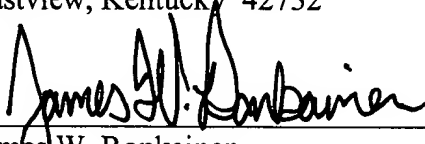
6. We additionally state that all errors in the specification, claims and drawings of the '056 Patent that are now being corrected by this Reissue Application and each of the Amendments filed in this application, arose without any deceptive intention on the part of the applicants. (37 CFR § 1.175(a)(2)).

7. We hereby declare that all statements made herein of our own knowledge are true and that all statements made on the information and belief are believed to be true; and further that the statements were made with the knowledge that willful, false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful, false statements may jeopardize the validity of the above application or any reissue patent issued thereon.

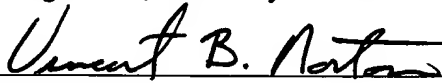
Date: 08/15/02
Country of Citizenship: U.S.A


Dale R. Danner
260 Western School Road
Eastview, Kentucky 42732


Date: 08/15/2002
Country of Citizenship: U.S.A


James W. Ronkainen
571 Old Sonora Road
Hodgenville, Kentucky 42748

Date: 08/15/02
Country of Citizenship: U.S.A.


Vincent B. Norton
116 Sharon Court
Elizabethtown, Kentucky 42701

Date: 8/15/02
County of Citizenship: U.S.A.


David S. Wolterman
2295 Harrods Pointe Trace
Lexington, Kentucky 40514